IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2491 OF 2005

Shri Bandu Nivrutti Newale & Ors. ...Petitioners

Versus

State of Maharashtra & Anr. ...Respondents

.....

Mr.A.P.Vanarse for Petitioners.

Mr.Y.S.Shinde, A.P.P. for Respondent No.1.

.....

CORAM: A.M.KHANWILKAR, J.

DECEMBER 21, 2005.

P.C.

1. Heard. The grounds raised before this Court can be effectively answered by the Revisional Court.

2. As alternative efficacious remedy is available to the Petitioners by way of revision before the Sessions Court in view of the decisions of this Court in the cases of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778**,

and in the unreported decision **in the case of Chetan R.Nagda & Ors. vs. N.D.Pawar & Anr. in Criminal Writ Petition No.1023 of 2005 dated 8th December 2005**, no interference is warranted.

3. This Petition is disposed of with liberty to take recourse to remedy of revision, if so advised. All questions are left open.

4. The Petitioners to file such Revision Application within four weeks from today. Till such time, no precipitative action be taken against the Petitioners. Revision Application, if filed within four weeks from today, be considered on its own merits in accordance with law.

5. In case, there is any delay in filing Revision Application, Court will take into account the fact that the Petitioners had first approached this Court, which period may be excused in computing delay.

6. Petition disposed of on the above terms.

A.M.KHANWILKAR, J.